

REMARKS

I. 35 U.S.C. §102 - Maiden

Reconsideration is respectfully requested of the Examiner's rejection of Claims 1, 2, 9, 15, and 16 under 35 U.S.C. 102(a) as being anticipated by Maiden (U.S. Patent No. 6,579,495). The Examiner relied on the Maiden reference as disclosing all the elements of the claims.

Claim 1 is canceled and all claims previously dependent on Claim 1 are amended to depend on amended Claim 4, which is believed to be allowable, §II, infra. Therefore, this rejection is now believed to be moot.

II. 35 U.S.C. §103(a) - Hanley

Reconsideration is respectfully requested of the Examiner's rejection of Claims 1, 4-6, 13, 15, 16, 19, and 27 under 35 U.S.C. 103(a) as being anticipated by Hanley (U.S. Patent No. 6,733,150). The Examiner relied on the Hanley reference as disclosing all the elements of the claims. However, the Examiner admitted that the Hanley reference fails to disclose a housing being the same shape as the brim and argued that such change would be obvious to one skilled in the art.

The Hanley reference discloses a headgear with illumination, which includes a light source 130, a power supply 150 and an electrical conducting path 180 along which electrical energy can flow from the power supply 150 to the light source 130. Col. 1, lines 45-51. As shown in Fig. 1, the power supply 150 is located in the crown area of the cap, with the light source 130 remotely located in the brim 108. Col. 6, lines 42-45.

Claim 1 is canceled and therefore this rejection is moot with respect to Claim 1.

Claim 4 is amended to include all the limitations of Claim 1 and recites as follows:

A portable black light device for incorporating into a head gear having a visor or a brim with a predetermined shape, comprising:

- a) ***a portable housing having substantially the same predetermined shape;***
- b) ***a plurality of openings on said housing;***
- c) ***a plurality of UV LEDs, one UV LEDs in each opening facing outwardly from said opening;*** and
- d) a power source within the housing for energizing each of said UV LEDs.

Claim 27 recites as follows:

The combination of a portable black light device and a head gear, comprising:

- a) a head gear having a visor or a brim,
- b) a portable housing;
- c) means for attaching said housing to said visor or said brim;
- d) ***a plurality of openings on said housing;***
- e) ***a first set of a plurality of UV LEDs, one UV LED of said first set of a plurality of UV LEDs in each opening facing outwardly from said opening;*** and
- f) a power source within the housing for energizing each of said UV LEDs.

The Hanley reference fails to disclose, teach or suggest, at least, the above elements shown in ***bold and italics***. In particular, the Hanley reference fails to disclose a “housing” having a plurality of openings and the location of the light source at each opening in the housing. As discussed above, the Hanley reference discloses a power supply 150 that is separate and distinct from the light source 130. In fact, the Hanley reference teaches against the placement of the light source in a housing because it provides an electrical conducting path 180 for interconnecting the two remote units – power supply 150 and light source 130. Therefore, Claims 4 and 27 are patentably distinct over the Hanley reference.

Further, Applicant respectfully disagrees with the Examiner that it would be obvious to one skilled in the art to change the shape of the housing of the Hanley reference to be the same shape as the brim. With the housing being substantially the same predetermined shape as the visor or brim, the present invention advantageously provides a self-contained portable black light

device, which also acts to provide a firm and appropriately curved visor or brim. The Hanley reference disadvantageously separates the light source 130 and power supply 150 with a detachably coupled electrical conducting path 180, which can be easily damaged and interfere with the operation of the illumination device. Even assuming, without conceding, that it would be obvious to change the shape of the housing of the Hanley reference to be the same shape as the brim, the Hanley reference still fails to teach, disclose or suggest providing openings on the housing or locating the light source in each opening of the housing. Therefore, Claims 4 and 27 are not unpatentable over the Hanley reference.

All claims previously dependent on Claim 1, now canceled, are amended to depend on amended Claim 4. Therefore, all claims dependent on amended Claim 4, including Claims 5-6, 13, 15, 16, and 19 are also not unpatentable over the Hanley reference.

III. 35 U.S.C. 103(a) – Hanley in view of Vanderschuit

Reconsideration is respectfully requested of the Examiner's rejection of Claims 7, 8, and 21 under 35 U.S.C. 103(a) as being anticipated by Hanley (U.S. Patent No. 6,733,150) in view of Vanderschuit (U.S. Patent Application No. 2004/0264176). The Examiner relied on the Hanley reference as disclosing all the elements of the claims. However, the Examiner admitted that the Hanley reference fails to disclose adhesives or sewing as an attaching means and relied on the Vanderschuit reference for disclosing this element.

As discussed in Section II, supra, the Hanley reference fails to disclose all the elements of amended Claim 4. The Vanderschuit reference similarly fails to disclose all the elements of amended Claim 4, i.e. a "housing" having a plurality of openings, the location of the light source at each opening in the housing and the housing being substantially the same shape as the visor or

brim. Therefore, amended Claim 4 and all claims dependent therefrom, including Claims 7, 8, and 21, are not unpatentable over the Hanley reference in view of the Vanderschuit reference.

IV. Allowable Subject Matter

Applicant acknowledges the Examiner's indication that Claims 3, 10-12, 14, 18, 20, 22, 23 and 28-33 are allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

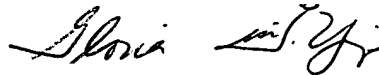
Claims 3, 10, 18, 20, 22, 23, and 28-31 are amended to be in independent form including all the limitations of the base claim and any intervening claims. Therefore, Claims 3, 10, 18, 20, 22, 23, 28-31 and all claims dependent therefrom, including Claims 11-12, 14, 32, and 33 are allowable.

Applicant also acknowledges the Examiner's indication that Claims 24-26 are allowed.

V. Conclusion

By virtue of the amendment of the claims and remarks thereto, all outstanding grounds of objection and rejection have been addressed and dealt with and based thereon, it is believed that the application is now in condition for allowance and such action is respectfully solicited.

Respectfully submitted,



Gloria Tsui-Yip
Attorney for Applicant
Reg. No. 42,188
STOLL, MISKIN & BADIE
350 Fifth Avenue
Suite 4710
New York, NY 10118
(212) 268-0900